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October 12, 2007

BY E-FILE

The Honorable Joseph J. Farnan, Jr.
United States District Court, District of Delaware
844 North King Street
Wilmington, DE 19801

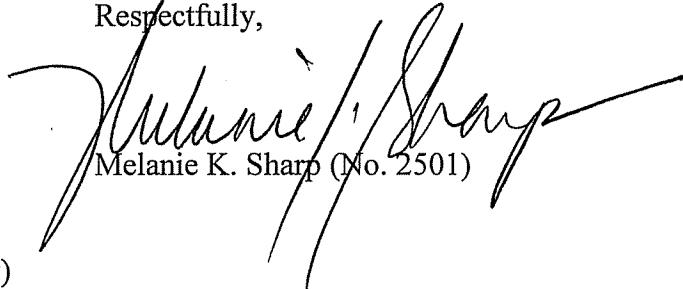
Re: *NICE Systems, Inc. and NICE Systems, Ltd. v. Witness Systems, Inc.*
C.A. No. 06-311 (JJF)

Dear Judge Farnan:

I write on behalf of my clients Plaintiffs NICE Systems, Inc. and NICE Systems, Ltd. (collectively, "NICE") in follow up to my letter dated September 28, 2007 (D.I. 230) by which NICE advised the Court that it had determined to withdraw an additional 29 claims from this litigation. Attached is a proposed form of order to formalize that NICE has withdrawn the enumerated claims.

Obviously counsel is available should Your Honor have any questions.

Respectfully,



Melanie K. Sharp (No. 2501)

MKS:mg

cc: Clerk of the Court (by Hand Delivery)
William J. Marsden Jr., Esquire (by Hand Delivery)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC., a Delaware Corporation, and)
NICE SYSTEMS, LTD., an Israeli Corporation,)
Plaintiffs,)
v.) C. A. No. 06-311-JJF
WITNESS SYSTEMS, INC., a Delaware Corporation,)
Defendant.)

ORDER

AND NOW, this _____ day of _____, 2007, Plaintiffs NICE Systems, Inc. and NICE Systems, LTD (collectively "NICE") having voluntarily withdrawn 29 claims by their letter to the Court dated September 28, 2007 (D.I. 230):

IT IS HEREBY ORDERED that the following 29 claims are withdrawn:

1. `005 Patent: claims 3, 6, 15, 20, 21 (5 claims)
2. `345 Patent: claims 21, 23, 24, 25, 26, 43, 45, 46, 47, 49, 50, 51, 52 (13 claims)
3. `372 Patent: claims 17, 34 (2 claims)
4. `370 Patent: claims 6, 8, 11, 12 (4 claims)
5. `079 Patent : claims 5, 6 (2 claims); and
6. `109 Patent: claims 4, 8, 24 (3 claims).

J.